

OFFICIAL GAZETTE



GOVERNMENT OF GOA

EXTRAORDINARY

No. 2

GOVERNMENT OF GOA

Department of Inland Waterways

Notification

1/17/96-IWT

Whereas certain draft rules to amend the Goa, Daman and Diu Ports Rules, 1983, were published as required by sub-section (2) of section 6 of the Indian Ports Act, 1908 (Central Act 15 of 1908), at pages 487, 488 and 489 of the Official Gazette, Series I, No. 39, dated 26-12-1996 under Notification No. 1/17/96-IWT dated 28-11-1996 of the Department of Inland Water Transport, Government of Goa, inviting objections and suggestions from all persons likely to be affected thereby till fifteen days from the date of publication of the said Notification in the Official Gazette.

And whereas the said Gazette was made available to the public on 26th December, 1996;

And whereas no objections and/or suggestions have been received from the public on the said draft rules by the Government.

Now, therefore, in exercise of the powers conferred by section 6 read with sections 33, 39, 46 and 47 of the Indian Ports Act, 1908 (Central Act 15 of 1908), the Government of Goa hereby makes the following rules so as to amend the Goa, Daman and Diu Ports, Rules, 1983, as follows:—

1. *Short title and commencement.*—(1) These rules may be called the Goa Ports (Amendment) Rules, 1997.

(2) They shall come into force at once.

2. *Amendment of rule 2.*— In rule 2 of the Goa, Daman and Diu Ports Rules, 1983 (hereinafter called the "Principal Rules"),—

(i) after clause (a), the following shall be inserted, namely:—

"(aa) 'allied crafts' means vessels used for loading/unloading or towing or assisting of main vessels";

(ii) after clause (c), the following shall be inserted, namely:—

"(cc) 'coastal vessel' means a vessel which is engaged in carriage by sea of passengers or cargo from any port or place in India to any other port or place in India.";

(ccc) 'deadweight carrying capacity (DWT)' means the difference between light and loaded displacement and is the weight of cargo stores, ballast, fresh water, fuel, oil, crew, passengers and effects on board.";

(iii) after clause (e), the following shall be inserted, namely:—

"(ee) 'foreign vessel' means a vessel engaged in trading between any port or place in India and other port or place or between ports or places outside India.";

(iv) after clause (g), the following shall be inserted, namely:—

"(gg) 'midstream loading/unloading of vessel' means vessels loading/unloading within the limits/jurisdiction of a port.";

(v) after clause (m), the following shall be inserted, namely:—

"(mm) 'tonnage' means the gross registered tonnage determined according to the relevant rules in force.";

3. *Insertion of new rule.*— After rule 64 of the principal Rules, the following rule shall be inserted, namely:—

"64 —A. *Port dues/cargo related charges for loading/unloading at midstream.*— Port dues or cargo related charges and other fees shall be levied for midstream loading/unloading at ports at the rates specified in Schedule II."

4. *Amendment of Schedule.*— The existing Schedule appended to the principal Rules shall be re-designated as Schedule I and after Schedule I so re-designated, the following Schedule shall be inserted, namely:—

"SCHEDULE II

Schedule of Port dues for vessels at midstream loading/
unloading

(1) Sea going mechanised and non-mechanised craft (for first 25 tons) — Rs 100/-.

For every additional 20 tons — Rs. 20/-

(2) Detention charges for delay in arrival of a craft:—

(i) Exceeding 3 hours but not exceeding 6 hours.

(a) When total Import and Export cargo is not more than 200 tons — Rs. 60/-.

(b) When total Import and Export cargo is more than 200 tons — Rs. 90/-.

(ii) Exceeding 6 hours irrespective of tonnage of cargo to be handled:— Rs. 150/-.

(3) Moorings:—

(1) Mechanised Craft of:

Upto 50 tons per day or part thereof — Rs. 5/-

Above 50 tons and upto 100 tons per day or part thereof — Rs. 7/-

Above 100 tons and upto 500 tons per day or part thereof — Rs. 10/-

Above 500 tons and upto 1000 tons per day or part thereof — Rs. 15/-

Above 1000 tons and upto 2000 tons per day or part thereof — Rs. 25/-

Above 2000 tons and upto 5000 tons per day or part thereof — Rs. 40/-

Above 5000 tons per day or part thereof — Rs. 50/-

(2) Other Crafts:

Half of fees specified in (1) above.

(4) Port Dues: per ton/per entry

Mechanical/non-mechanical vessels for loading/unloading, whether ballast/empty/loaded at midstream — Rs. 0.28

(5) Cargo related Port Dues/Bulk Cargoes:—

(i) Bauxite, Iron Ore, Manganese Ore, Calcinated Bauxite Clay-China and others, Coal and coke, Gypsum, Lime Stone, Phosphate sand, or ballast, Iron Ore Pellets, Ferro Manganese and for all other minerals/bulk cargoes, the following rates shall be levied:—

(1) Vessels upto 59,999 DWT — Rs. 2.40

(2) Vessels from 60,000 DWT upto 99,999 DWT — Rs. 2.80

(3) Vessels for and above 1,00,000 DWT — Rs. 3.00

Note:—

(1) All allied crafts, namely, Transhippers and Tugs, etc. used for facilitation of loading/unloading at midstream are exempted from item Nos. (2), (3), (4) and (5) of the above mentioned rates and rule 64 of the Rules, 1983.

(2) All the above rates shall be for a minimum of 10 years period without any escalation.

(3) In calculating the port dues, the day of entry of a vessel within/into the limits of the port will be reckoned as the day of payment due irrespective of the actual day of payment."

By order and in the name of the Governor of Goa.

Celina Dias e Caldeira, Under Secretary (Transport).

Panaji, 27th January, 1997.

Department of Transport

Notification

6/27/95-TPT

Whereas certain draft Amendment Rules which the Government of Goa proposes to make in exercise of the powers conferred by sections 26, 28, 38, 65, 95, 96, 107, 111, 138, 159, 176 and 213 of the Motor Vehicles Act, 1988 (Central Act 59 of 1988), and all other powers enabling it in that behalf, were published as required by section 212 of the said Act in the Official Gazette, Series I, No. 21, dated 22-8-96, under Notification No. 6/27/95-Tpt dated 2-7-96 of Department of Transport, Secretariat, Panaji, inviting objections and suggestions from all persons likely to be affected thereby within fifteen days from date of publication of the said Notification in the Official Gazette;

And whereas the said Gazette was made available to the public on 22-8-1996;

And whereas no objections and suggestions have been received from the public on the said draft by the Government.

Now, therefore, in exercise of the powers conferred by sections 26, 28, 38, 65, 95, 96, 107, 111, 138, 159, 176 and 213 of the Motor Vehicles Act, 1988 (Central Act 59 of 1988), and all other powers enabling it in that behalf, the Government of Goa hereby makes the following rules, so as to further amend the Motor Vehicles Rules, 1991, namely:—

1. *Short title and commencement.*— (1) These rules may be called the Goa Motor Vehicles (Amendment) Rules, 1997.

(2) They shall come into force at once.

2. *Amendment of rule 2.*— In the Goa Motor Vehicles Rules 1991 (hereinafter referred to as the 'principal Rules' in rule 2, after clause (c), the following clause shall be inserted, namely:—

“(Ca) ‘Deputy Director of Transport’ means any officer appointed by the Government to perform the function of the Deputy Director of Transport under the Act or these rules or the rules framed by the Central Government”.

3. *Amendment of rule 3.*— For rule 3 of the principal Rules, the following shall be substituted, namely:—

“3. *Licensing Authority.*— The Licensing Authority for any area shall be the Deputy Director or the Assistant Director of Transport, as the case may be, authorised by the Government to perform the functions of Licensing Authority.”.

4. *Amendment of rule 14.*— In sub-rule (4) of rule 14 of the principal Rules, for the words “rupees twenty”, the words “rupees one hundred” shall be substituted.

5. *Amendment of rule 24.*— In sub-rule (3) of rule 24 of the principal Rules, for the words “rupees ten” and “twenty rupees”, the words “rupees twenty” and “forty rupees” shall be respectively substituted.

6. *Amendment of rule 26.*— For rule 26 of the principal Rules, the following shall be substituted, namely:—

“26. *Licensing Authority.*— The Licensing Authority for any area shall be the Deputy Director or the Assistant Director of Transport, as the case may be, authorised by the Government to perform the functions of the Licensing Authority.”.

7. *Amendment of rule 31.*— In clause (iii) of rule 31 of the principal Rules, for the figures and words “VIII Std.”, the figures and words “Xth Std.” shall be substituted.

8. *Amendment of rule 37.*— In sub-rule (4) of rule 37 of the principal Rules, for the words and figures “Rs. 10/-”, the words and figures “Rs. 50/-” shall be substituted.

9. *Amendment of rule 38.*— In sub-rule (3) of rule 38 of the principal Rules, for the words and figures “Rs. 10/-”, the words and figures “Rs. 50/-”, shall be substituted.

10. *Amendment of rule 40.*— In sub-rule (1) of rule 40 of the principal Rules,—

- (i) for the words and figures “Rs. 10/-” wherever it occurs the words and figures “Rs. 20/-”, shall be substituted;
- (ii) for the words and figures “Rs. 20/-”, the words and figures “Rs. 40/-” shall be substituted.

11. *Amendment of rule 42.*— For rule 42 of the principal Rules, the following shall be substituted, namely:—

“42. *Registering Authority.*— The Registering Authority for any area shall be the Deputy Director or the Assistant Director of Transport, as the case may be, authorised by the Government to perform the functions of Registering Authority.”.

12. *Amendment of rule 45.*— In rule 45 of the principal Rules, for sub-rule (8), the following shall be substituted, namely:—“(8) The fee for grant or renewal of temporary registration shall be rupees hundred for two and three wheelers, rupees two hundred fifty for light motor vehicles and rupees three hundred for other vehicles.”.

13. *Amendment of rule 76.*— For rule 76 of the principal Rules, the following shall be substituted, namely:—

“76. *Permit Fees.*— (1) Subject to the provisions of these rules, the fees in respect of an application for the grant or renewal of a permit or a countersignature on a permit shall be:—

For the grant of a permit or a countersignature of permit or renewal in respect of:—

- (a) Motor cycles and Autorickshaws Rs. 50/-
- (b) Taxis Rs. 100/-
- (c) Transport Vehicles other than (a) and (b)
..... Rs. 200/- above.

Provided that, no fees shall be charged under this sub-rule in respect of an application for countersignature where the State has entered into a reciprocal agreement with any other State for exemption from the payment of such fees.

(2) The fees in respect of an application for a permit for Tourist vehicle shall be Rs. 200/- and the fee for the renewal of such permit shall be Rs. 125/-.

(3) The fee in respect of an application for a National permit shall be Rs. 200/- and the fee for the renewal of such permit shall be Rs. 125/-.

(4) The fee in respect of an application for a temporary permit or countersignature on a temporary permit shall be Rs. 20/- for each calendar month or part thereof (in respect of each vehicle).

(5) The fee in respect of an application for replacement of a vehicle covered by a stage carriage permit, goods carriage or a contract carriage permit to which the provisions of sub-rule (2) of rule 89 apply, shall be Rs. 100/-.”.

14. *Amendment of rule 94.*— In sub-rule (5) of rule 94 of the principal Rules for the words and figures “Rs. 20/- (twenty rupees)” and “Rs. 15/-”, the words and figures “Rs. 40/- (forty rupees)” and Rs. “20/-” shall be respectively substituted.

15. *Amendment of rule 123.*— In sub-rule (1) of rule 123 of the principal Rules, in clause (c), after the words “Halting at the stand”, the following words shall be inserted, namely:—

“and that if any such breach is committed or where the owner, driver or person in-charge of a vehicle refuses to comply with any

lawful direction given by the Manager of the stand and if the vehicle is already entered in the stand, take all possible steps to remove such vehicle from the stand”.

16. *Amendment of rule 142.*—In sub-section (8) of rule 142 of the principal Rules, for the words “rupees two hundred” and “rupees one hundred”, the words “rupees one thousand” and “rupees two hundred and fifty” shall be respectively substituted.

17. *Amendment of rule 151.*— For rule 151 of the principal Rules, the following shall be substituted, namely:—

“151. *Fees for licence, etc.* — The fee for the grant or renewal of licence or supplementary licence or for a duplicate thereof, shall be:—

- (a) for grant of a licence — Rs. 1000/-
- (b) for grant of supplementary licence of each additional establishment — Rs. 500/-
- (c) for renewal of licence if application is made within time :—
 - (i) Principal licence— Rs. 200/-
 - (ii) Each supplementary licence — Rs. 50/-
- (d) for renewal of licence if application is not made within time :—
 - (i) Principal licence — Rs. 500/-
 - (ii) For each supplementary licence — Rs. 75/-
- (e) For issue of a duplicate copy of:—
 - (i) Principal licence — Rs. 30/-
 - (ii) Each supplementary licence — Rs. 20/-

18. *Amendment of rule 185.* — For sub-rule (2) of rule 185 of the principal Rules, the following shall be substituted, namely:—

“(2) Every entrance or exit, of a stage carriage shall be fitted with doors which shall be capable of opening outside while entry or exit of a passenger and which could be securely locked while the vehicle is in motion so as to prevent passengers from falling out.”.

19. *Amendment of rule 275.* — For rule 275 of the principal Rules, the following shall be substituted, namely:—

“275. *Application for compensation.*— An application for compensation arising out of accident of the nature specified in sub-section (1) of section 165 shall be made by a person specified in

sub-section (1) of section 166, at his option, either to the Claims Tribunal having jurisdiction over the area in which the accident occurred, or to the Claims Tribunal within the local limits of whose jurisdiction the claimant resides or carries on business, or within the local limits of whose jurisdiction the defendant resides, and shall be in Form COMP. A. and shall contain the particulars specified in that Form.”.

20. *Substitution of Form.* — For the existing Form P. Co. S. P. A. appearing in First Schedule to the principal Rules, the following form shall be substituted, namely:—

“Form P. CO. S. P. A.

[See Rule 72 (1) (vi)]

Application for a special permit in respect of a contract carriage under section 88 (8)

To,

The Director/Assistant Director of Transport

In accordance with the provisions of sub-section (8) of section 88 of the Motor Vehicles Act, 1988, I, the undersigned, hereby apply for a special permit in respect of a public service/private service vehicles as hereunder set out:—

(1) Full name _____
(surname) (Name)

(Father's/Husband's name)

(2) Full address, H. No. _____

Road/Lane _____

Name of Locality _____

Pin _____

Tel. No., if any _____

(3) Route or routes or area for which permit is desired with itinerary _____

(4) Period for which it is required (place and time of departure of the vehicles for the proposed trip) _____

the officer of the border checkposts and an attested copy shall be forwarded to the permit sanctioning authority within 3 days from the date of arrival from the tour.

(5) Registration mark of the vehicle _____

(a) Chassis No. _____

(b) Engine No. _____

(c) Vehicle is taxed upto _____ in the State of _____

(d) Particulars of taxes paid to other States if the vehicle has taken permit under section 88 (8) in the part one month period to the date of application (proof to be enclosed).

(9) Name and address of the leader of the group or such other person who has engaged the vehicle on contract with the holder of the permit in relation to the said vehicle or any person authorised by him in this behalf on a fixed or an agreed rate or sum.

(6) Seating Capacity _____

Date: _____ 19

Place: _____

(7) Particulars of the permit, if any, under which the vehicle is already covered and the authority by which it is issued _____

*Signature or thumb impression
of the applicant."*

(8) List of passengers (in duplicate) containing name, age and full address of the passengers to be enclosed. In case the list is not available at the time of application, the list shall be prepared before the departure of the vehicle and should be got attested from

By order and in the name of the Governor of Goa.
Celina Dias e Caldeira, Under Secretary (Transport).
Panaji, 21st January, 1997.